

2007 DRAFTING REQUEST

Bill

Received: **02/18/2008**

Received By: **jkreye**

Wanted: **Today**

Identical to LRB:

For: **Russell Decker (608) 266-2502**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Shared Revenue**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Decker@legis.wisconsin.gov**

Carbon copy (CC:) to: **joseph.kreye@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Utility aid payments based on 1990 depreciated net book values

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkreye 02/18/2008	bkraft 02/18/2008		_____			S&L
/1	jkreye 02/19/2008	jdye 02/19/2008	rschluet 02/18/2008	_____	sbasford 02/18/2008		S&L
/2			pgreensl 02/19/2008	_____	cdurert 02/19/2008	sbasford 02/21/2008	

FE Sent For:

at intro
2/22

<END>

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/1		1/2 2/19 jld	rschluet 02/18/2008	2/19	sbasford 02/18/2008		

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2/19 P8
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/?	jkreye	1 bjk 2/18					
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FE Sent For:

<END>

Kreye, Joseph

From: Verette, Natalie
Sent: Monday, February 18, 2008 12:30 PM
To: Kreye, Joseph
Subject: RE: Draft Review: LRB 07-3988/1 Topic: Utility aid payments based on 1990 depreciated net book value

Oh, sorry. Please send it to Senator Decker. Thank you!

From: Kreye, Joseph
Sent: Monday, February 18, 2008 12:30 PM
To: Verette, Natalie
Subject: RE: Draft Review: LRB 07-3988/1 Topic: Utility aid payments based on 1990 depreciated net book value

Sure. Who in the senate should receive it?

Joseph T. Kreye
Senior Legislative Attorney
Legislative Reference Bureau
(608) 266-2263

From: Verette, Natalie
Sent: Monday, February 18, 2008 12:28 PM
To: Kreye, Joseph
Subject: FW: Draft Review: LRB 07-3988/1 Topic: Utility aid payments based on 1990 depreciated net book value

Hi Joe - Could you please draft a companion for the Senate?

Thank you,
Natalie

Natalie Verette
Legislative Assistant
Office of State Representative Donna Seidel
85th Assembly District

State Capitol, 7 North
P.O. Box 8953
Madison, WI 53708

608.266.0654
888.534.0085 (toll-free)
natalie.verette@legis.wisconsin.gov

From: Verette, Natalie
Sent: Monday, February 18, 2008 12:27 PM
To: LRB.Legal
Subject: Draft Review: LRB 07-3988/1 Topic: Utility aid payments based on 1990 depreciated net book value

Please Jacket LRB 07-3988/1 for the ASSEMBLY.

4113/1
L stays

2007 BILL

SA✓

in 2-18-08

-regen. cat.

Today

- 1 AN ACT *to renumber and amend* 79.04 (4m); *to amend* 20.835 (1) (d); and *to*
2 *create* 79.04 (4m) (b) of the statutes; **relating to:** utility aid payments based
3 on a production plant's value in 1990.

Analysis by the Legislative Reference Bureau

Under current law, generally, each county and municipality in which a power production plant is located receives a utility aid payment from the state. If the plant began operation before January 1, 2004, the payment is based on the plant's net book value. Under current law, ending with payments in 2008, the power production plant value used to determine the utility aid payment to a county or municipality may not be less than power production plant value used to determine the payment in 1990. If, however, the plant began operation after December 31, 2003, the utility aid payment is based on the plant's power capacity. Under current law, beginning with the payments in 2009, if in any year the amount of the utility aid payment to a county or municipality would be greater based on the plant's power capacity instead of the plant's value, the county or municipality will receive, in that year and in each year thereafter, a payment based on the plant's capacity.

Under the bill, if the amount determined for production plants based on value or power capacity is less for a municipality than the payment amount based on the value of the property used to calculate the municipality's payment in 1990, less the value of property no longer in use, the municipality will receive a payment based on the value of the property used to calculate the municipality's payment in 1990, less the value of property no longer in use.

BILL

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 **SECTION 1.** 20.835 (1) (d) of the statutes is amended to read:

2 20.835 (1) (d) *Shared revenue account.* A sum sufficient to meet the
3 requirements of the shared revenue account established under s. 79.01 (2) to provide
4 for the distributions from the shared revenue account to counties, towns, villages and
5 cities under ss. 79.03, 79.04 (1) to (4) (4m), and 79.06.

6 ✓
SECTION 2. 79.04 (4m) of the statutes, as created by 2007 Wisconsin Act 20, is
7 renumbered 79.04 (4m) (a) and amended to read:

8 79.04 (4m) (a) Beginning Except as provided in par. (b), beginning with
9 distributions in 2009, for production plants described under subs. (1) and (2), if in any
10 year the payments to the municipality and county in which the production plant is
11 located would be greater under subs. (6) and (7) (c) 1. based on the production plant's
12 name-plate capacity than under sub. (1) or (2) based on either the depreciated net
13 book value of the production plant, the municipality and county shall receive
14 payments under subs. (6) and (7) (c) 1., rather than under sub. (1) or (2), beginning
15 in that year and in each year thereafter.

16 ✓
SECTION 3. 79.04 (4m) (b) of the statutes is created to read:

17 79.04 (4m) (b) If the amount determined for production plants under sub. (1)
18 or under subs. (6) and (7) (c) 1. is less for a municipality than the amount determined
19 under sub. (1) based on the value of the property used to calculate the municipality's
20 payment in 1990, reduced to reflect the value of property that is no longer in use, the
21 municipality's payment shall be calculated under sub. (1) using the value of the

BILL

- 1 property used to calculate the municipality's payment in 1990, reduced to reflect the
- 2 value of property no longer in use.

3 (END) ✓



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-4113/1
JK:jld:rs

RM:TR

2007 BILL

in 2-19-08

Today

✓

NO # and the amounts determined for substations and structures based on general structures value are

✓

Reger

- 1 AN ACT *to renumber and amend* 79.04 (4m); *to amend* 20.835 (1) (d); and *to*
2 *create* 79.04 (4m) (b) of the statutes; **relating to:** utility aid payments based
3 on a production plant's value in 1990.

Analysis by the Legislative Reference Bureau

Under current law, generally, each county and municipality in which a power production plant is located receives a utility aid payment from the state. If the plant began operation before January 1, 2004, the payment is based on the plant's net book value. Under current law, ending with payments in 2008, the power production plant value used to determine the utility aid payment to a county or municipality may not be less than power production plant value used to determine the payment in 1990. If, however, the plant began operation after December 31, 2003, the utility aid payment is based on the plant's power capacity. Under current law, beginning with the payments in 2009, if in any year the amount of the utility aid payment to a county or municipality would be greater based on the plant's power capacity instead of the plant's value, the county or municipality will receive, in that year and in each year thereafter, a payment based on the plant's capacity.

Under the bill, if the amount determined for production plants based on value or power capacity is less for a municipality than the payment amount based on the value of the property used to calculate the municipality's payment in 1990, less the value of property no longer in use, the municipality will receive a payment based on the value of the property used to calculate the municipality's payment in 1990, less the value of property no longer in use.

for municipalities where production plants are located,

BILL

*and the amounts determined for subventions
and general structures under sub. (1) are*

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.835 (1) (d) of the statutes is amended to read:

20.835 (1) (d) *Shared revenue account.* A sum sufficient to meet the requirements of the shared revenue account established under s. 79.01 (2) to provide for the distributions from the shared revenue account to counties, towns, villages and cities under ss. 79.03, 79.04 (1) to (4) (4m), and 79.06.

SECTION 2. 79.04 (4m) of the statutes, as created by 2007 Wisconsin Act 20, is renumbered 79.04 (4m) (a) and amended to read:

79.04 (4m) (a) Beginning Except as provided in par. (b), beginning with distributions in 2009, for production plants described under subs. (1) and (2), if in any year the payments to the municipality and county in which the production plant is located would be greater under subs. (6) and (7) (c) 1. based on the production plant's name-plate capacity than under sub. (1) or (2) based on either the depreciated net book value of the production plant, the municipality and county shall receive payments under subs. (6) and (7) (c) 1., rather than under sub. (1) or (2), beginning in that year and in each year thereafter. ✓ *combination of amounts*

SECTION 3. 79.04 (4m) (b) of the statutes is created to read:

79.04 (4m) (b) *If the amount* determined for production plants under sub. (1) or under subs. (6) and (7) (c) 1. *is* less for a municipality than the amount determined under sub. (1) based on the value of the property used to calculate the municipality's payment in 1990, reduced to reflect the value of property that is no longer in use, the municipality's payment shall be calculated under sub. (1) using the value of the

For municipalities where production plants are located,

BILL

1 property used to calculate the municipality's payment in 1990, reduced to reflect the
2 value of property no longer in use.

3 (END)

Duerst, Christina

From: Walsh, Patrick
Sent: Thursday, February 21, 2008 10:20 AM
To: LRB.Legal
Subject: Jacket request

Could you please send the jacket over for LRB 4113/2 to Sen. Decker's officer for introduction in the State Senate.

Thank you.

Patrick Walsh
Legislative Aide
State Sen. Russ Decker